

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: A. COSTO et al.)	Examiner: Phuc H. Tran
)	
Serial No.: 10/805,004)	Art Unit: 2416
)	
Filed: March 18, 2004)	
)	
For: CONFIGURING A TRANSMISSION MODE)	
BETWEEN DEVICES)	

Transmitted herewith in the above-identified application is an:

X Amendment- 10 pages.
X No additional fee is required.

The fee has been calculated as shown below:

	Remaining After Amendment		Previously Paid For				Additional Fee
Total Claims	31	Minus	34	=	0	X52	= \$0
Independent Claims	4	Minus	4	=	0	X220	= \$0
First Presentation of Multiple Dependant Claim				=		+390	= \$0
						Total	= \$0

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X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17, including all required extension of time fees.

Respectfully submitted,

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Dated: July 16, 2009

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Phuc H. Tran on July 16, 2009.

/David Victor/

David W. Victor

7/16/09

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	A. COSTO et al.	Examiner	Wellington Chin
Serial No.	10/805,004	Group Art Unit	2664
Filed	March 18, 2004	Docket No.	P18340
TITLE	CONFIGURING A TRANSMISSION MODE BETWEEN DEVICES		

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/David Victor/

David W. Victor

AMENDMENT

This Amendment is submitted in response to a non-final fourth office action in the above case dated April 16, 2009 ("OA4") in which the Examiner found that claims 6, 10, 16, 20, 30, and 34 are allowable, rejected claims 1-10 and 15-34 as directed to non-statutory subject matter (35 U.S.C. §101) and rejected other claims as obvious (35 U.S.C. §103) over cited art. On July 15, 2009, the attorney for Applicants and the Examiner held a phone interview discussing the rejections. Applicants amend the claims as discussed during the phone interview to overcome the Sec. 101 rejection. Applicants further amend independent claims 1, 11, 23, and 25 to include the requirements of allowable claims 10, 20, and 34 and cancel claims 10, 20, and 34 to place the Application in condition for allowance. Applicants submit that claims 1-9, 11-19, and 21-33 are patentable and in condition for allowance for the reasons discussed herein.

A listing of claims begins on page 2.

Remarks/Arguments begin on page 9.